

PATENT COOPERATION TREATY

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From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

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NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL PRELIMINARY
EXAMINATION REPORT
(PCT Rule 71.1)

Date of mailing
(day/month/year)

02.06.2004

Applicant's or agent's file reference
P80965PC03/CSG

IMPORTANT NOTIFICATION

International application No.
PCT/GB 03/00940

International filing date (day/month/year)
06.03.2003

Priority date (day/month/year)
07.03.2002

Applicant
HOYLAND FOX LIMITED

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.
4. **REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

The applicant's attention is drawn to Article 33(5), which provides that the criteria of novelty, inventive step and industrial applicability described in Article 33(2) to (4) merely serve the purposes of international preliminary examination and that "any Contracting State may apply additional or different criteria for the purposes of deciding whether, in that State, the claimed inventions is patentable or not" (see also Article 27(5)). Such additional criteria may relate, for example, to exemptions from patentability, requirements for enabling disclosure, clarity and support for the claims.

LEEDS ADMIN	
Due Date	
Reminder Date	
Initials	SR
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Name and mailing address of the international preliminary examining authority:



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PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT (PCT Article 36 and Rule 70)

Applicant's or agent's file reference P80965PC03/CSG	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/GB 03/00940	International filing date (<i>day/month/year</i>) 06.03.2003	Priority date (<i>day/month/year</i>) 07.03.2002
International Patent Classification (IPC) or both national classification and IPC A45B17/00		
Applicant HOYLAND FOX LIMITED		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 4 sheets, including this cover sheet.

☒ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 1 sheets.

3. This report contains indications relating to the following items:

I ☒ Basis of the opinion

II ☐ Priority

III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

IV ☐ Lack of unity of invention

V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

VI ☐ Certain documents cited

VII ☐ Certain defects in the international application

VIII ☐ Certain observations on the international application

Date of submission of the demand 03.10.2003	Date of completion of this report 02.06.2004
Name and mailing address of the international preliminary examining authority: <div style="display: flex; align-items: center;"> <div> European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465 </div> </div>	Authorized Officer Lang, D Telephone No. +49 89 2399-2092



**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. **PCT/GB 03/00940**

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

1-7 as originally filed

Claims, Numbers

1-9 as originally filed

10-11 received on 19.04.2004 with letter of 16.04.2004

Drawings, Sheets

1/3-3/3 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. **PCT/GB 03/00940**

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-11
	No: Claims	
Inventive step (IS)	Yes: Claims	1-11
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-11
	No: Claims	

2. Citations and explanations

see separate sheet

ITEM V:

Concerning independent claims 1 and 10:

There is no document cited in the search report disclosing all the features of claims 1 and 10.

The subject-matter of claims 1 and 10 is thus novel (Article 33(2) PCT).

None of the documents discloses an umbrella or a runner assembly which allows to tilt the umbrella by rotation of the runner.

The subject-matter of claims 1 and 10 is considered as involving an inventive step (Article 33(3) PCT).

The industrial applicability of the subject-matter of claims 1 and 10 is obvious (Article 33(4) PCT).

Concerning the dependent claims 2 to 9 and 11:

Claims 2 to 9 and 11 are dependent claims and contain modifications of the inventive idea embodied in claim 1 and 10, and therefore also meet the requirements of article 33(2), (3) and (4) PCT.

Further comments:

To meet the requirements of Rule 5.1(a)(ii) PCT, the documents FR-A-1493969 and FR-A-715401 should be identified in the description and the relevant background art disclosed therein should be briefly discussed.

To meet the requirements of Rule 6.3 PCT, the independent claims should be properly cast in the two part form, with those features which in combination are part of the prior art (FR-A-1493969 or FR-A-715401 or an other document, if considered as being closer to the application) being placed in the preamble.

10. A runner assembly for use on an umbrella shaft, including a runner body (16) and a notch ring (22) to which the inner ends of stretchers of the umbrella are to be attached, wherein the notch ring is disposed on the runner body and can rotate about the runner axis so as to allow the runner body to be rotated with respect to the umbrella shaft; and tilting means comprising mechanical linking means (28, 36) for linking the runner to the upper part of the shaft so that rotational motion of the runner with respect to the shaft causes the upper portion of the shaft to tilt.
11. A runner assembly according to claim 10, further including a bearing part (42) on the runner which can be radially compressed to allow the notch ring to be assembled.